

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF SCHENECTADY

JONATHAN BLANCHARD,

PLAINTIFF,

vs.

SUMMONS

BOY SCOUTS OF AMERICA (BSA),
BOY SCOUTS OF AMERICA TWIN RIVERS COUNCIL,
VINCENT SIECINSKI,

INDEX No.

DEFENDANTS.

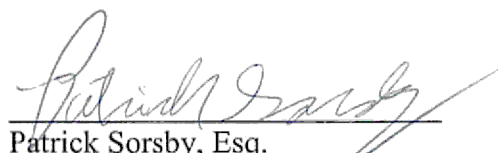
To the Persons Named as Defendants above:

PLEASE TAKE NOTICE THAT YOU ARE HEREBY SUMMONED to answer the

Complaint of the Plaintiff herein and to serve a copy of your answer on the Plaintiff at the address indicated below within twenty (20) days after the service of this Summons (not counting the day of service itself), or within thirty (30) days after service is complete if the Summons is not delivered personally to you within the State of New York.

YOU ARE HEREBY NOTIFIED THAT should you fail to answer, a judgment will be entered against you by default for the relief demanded in the Complaint.

Dated:
Albany, New York
This 14th day of August, 2019


Patrick Sorsby, Esq.
Law Office of Patrick Sorsby
1568 Central Avenue
Albany, New York 12205
Phone: (518) 456-4529
E-mail: sorsbylaw@gmail.com

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF SCHENECTADY**

JONATHAN BLANCHARD,

PLAINTIFF,

vs.

**VERIFIED COMPLAINT
JURY TRIAL DEMANDED**

**BOY SCOUTS OF AMERICA (BSA),
BOY SCOUTS OF AMERICA TWIN RIVERS COUNCIL,
VINCENT SIECINSKI,**

INDEX No.

DEFENDANTS.

Plaintiff Jonathan Blanchard, by and through his attorney, The Law office of Patrick Sorsby, as and for his Complaint in this matter against Defendants, states and alleges as follows:

PARTIES, JURISDICTION AND VENUE

1. The Plaintiff, Jonathan Blanchard (herein after "plaintiff" "Mr. Blanchard" interchangeably) , is a resident of the State of New York. Mr. Blanchard resides at 2264 Donnan Road, Galway New York 12074. This address has been his domicile in excess of ten years.
2. On information and belief Defendant Boy Scouts of America (BSA) has a physical address of 1325 W. Walnut Hill Lane, Irving, Texas 75038.
3. On information and belief Defendant Twin Rivers Council of the BSA has a physical address of 253 Washington Avenue Ext., Albany, New York 12205.
4. On information and belief Defendant Vincent Siecinski resides in Pittsburgh Pennsylvania.

FACTS RELEVANT TO ALL CAUSES OF ACTION:

5. Mr. Blanchard became a member of the BSA as a Cub Scout at the age of seven or eight years in or around 1976.
6. Mr. Blanchard maintained and continued his membership in the BSA as a Boy Scout at the age of eleven and until the summer of 1980.
7. Mr. Blanchard was an active member of the BSA meeting in the cafeteria of the Glendale school in Scotia, New York.

8. At this location, he first met Defendant Siecinski, a scout leader. Siecinski showed him and others a trick pulling a string from his hand. From the eyes of a child, Siecinski made an impression on young Blanchard and other scouts.
9. The young Blanchard lacked a father figure because his parents divorced when Plaintiff was very young.
10. On information and belief Defendant Siecinski realized this opportunity, took advantage of the vulnerable child and started an inappropriate and unlawful intimate relationship with the Plaintiff.
11. Innocent as it appeared at first, Defendant Siecinski would pick-up the Plaintiff so Plaintiff could attend scout outings. Siecinski would then drop off Plaintiff at his home on West Glenville Road in Glenville, New York.
12. When Plaintiff and Plaintiff's Mother became comfortable with Defendant Siecinski, Defendant began requesting that he take the Plaintiff to various destinations like the movies privately. See the attached Affidavit of Ms. Cinthia Cullen, the Mother of John Blanchard which is incorporated herein by reference.
13. The first incident of molestation by Defendant Siecinski took place at a movie theater in the winter of 1980 (herein after "first movie incident").
14. Plaintiff recalls that at the first movie incident the movie that was playing was "The Empire Strikes Back".
15. Siecinski seated Plaintiff and himself in the back of the theater.
16. While the movie was playing during the first movie incident and the theater was dark, Siecinski reached over and proceeded to rub Plaintiff's penis, through his clothing. He continued this while his penis became erected and he climaxed.
17. During this incident Plaintiff was confused and did not know what was happening to him.
18. The second incident of molestation also took place in a movie theater (herein after "second movie incident"). The setting and experience were similar to the first movie incident.
19. During both the first and second movie incident plaintiff did not understand that he was being sexually violated. Nor did the child understand that what Siecinski was doing to him was morally wrong, and unlawfull.
20. The third occasion that Plaintiff was molested by Defendant Siecinski occurred at Defendant Siecinski's house in the springtime of 1980 ("herein after third incident").

21. The facts and circumstances of the third incident are as follows:

- a. In the spring of 1980 Defendant Siecinski picked up Plaintiff at his home and took him to Defendant's house which was near the corner of Bruce Street and Route 50 in Scotia New York.
- b. Defendant then ordered a pizza and while they were waiting for the pizza they sat on the sofa, playing a video game.
- c. Siecinski then pulled Plaintiff on his lap and proceeded to "do the same thing as in the theater", i.e. to sexually molest the young boy.
- d. Shortly thereafter on that same day during that same visit Defendant Siecinski spilled bleach on the Plaintiff.
- e. On information and belief Plaintiff states that "the spill" was purposefully arranged to "scam" him.
- f. After spilling the bleach on the young boy, Defendant then had the child strip off his bleach-soaked clothes and put on Underoos; which Defendant previously arranged for his young victim. Defendant had Plaintiff lay on a beach blanket, on the floor, whereby Siecinski proceeded to take pictures of him. Plaintiff believes that these pictures are likely some on some kiddie porn website. This incident and the trauma of the experience, has "stuck with him [Plaintiff] for forty years".

22. Subsequent to the three occasions of molestation that Plaintiff recalls, Plaintiff also recalls watching a movie called "Fallen Angel" which is about a child molester. Plaintiff clearly recalls the similarities between "Fallen Angel" and his experiences with Siecinski. Being eleven years old and innocent as he was, and not knowing right from wrong, Plaintiff then asked his mother if it was bad or wrong.

23. Plaintiff stopped attending Scouting events after discussing the experience with his Mother; in the Spring of 1980. Jon never returned to scouting. This was the first effect of the traumatic experience he suffered. However, this was not the last he was to see Defendant Siecinski.

24. Mr. Blanchard has a suppressed memory of the incidents of sexual molestation by Defendant Siecinski. He does recall telling his Mother that he would not testify because he was scared and ashamed and didn't want anyone to know.

25. While Plaintiff has a somewhat suppressed memory for some of the details of the molestation, Plaintiff's Mother, Cynthia Cullen has the memory and capacity to fill in the blanks where

Plaintiff's memory may not be clear. See the attached Affidavit of Ms. Cinthia Cullen, the Mother of Plaintiff Blanchard which was prepared after she was interviewed concerning this matter and is incorporated herein by reference.

26. On information and belief, Plaintiff's mother contacted attorney Arthur Pasquariello and relayed to him what the Plaintiff told her about his molestation.
27. On information and belief, Attorney Pasquariello investigated Plaintiffs allegations of molestation.
28. On information and belief, Attorney Pasquariello held meeting(s) at his office where his mother, scout council members John McIntosh, John Dawes, Mr. Mitch and Defendant Siecinski were in attendance.
29. On information and belief, Plaintiffs mother learned through these meetings that Defendants BSA and Twin Counsel knew that Defendant Siecinski had molested a cub scout at the Rotterdam troop and then was transferred to the Plaintiffs troop in Glenville.
30. On information and belief Defendants were aware at the time Defendant Siecinski was transferred from the Rotterdam troop to the Glenville troop that he had molested a cub scout in Glenville but did nothing to protect me or the other cub scouts. See affixed Affidavit of Ms. Cinthia Cullen.
31. On information and belief Defendants rather than expel Defendant Siecinski after they became aware of

**AS AND FOR A FIRST CAUSE OF ACTION AGAINST ALL DEFENDANTS
NEGLIGENCE**

32. Plaintiffs repeat and re-allege each and every allegation contained in Paragraphs "1" through "31" above, as if each were fully set forth herein.
33. Each Defendant owed Plaintiff a duty of reasonable care.
34. Each Defendant owed Plaintiff a duty of care because Defendant's had a special relationship with Plaintiff.
35. Each Defendant owed a duty to protect Plaintiff from harm because Defendant's had a special relationship with Defendant Siecinski.
36. By establishing and/or operating the Boy Scouts, accepting minor Plaintiff as a participant in their programs, holding their facilities and programs out to be a safe environment for Plaintiff, taking and inviting children into its facilities, accepting custody of the minor

Plaintiff in loco parentis, holding Defendant Siecinski out to the public, including Plaintiff, as a competent and trustworthy employee that was safe to work with children, and not disclosing their knowledge of his prior sexual abuse of other children, Defendants entered into an express and/or implied duty to properly supervise Plaintiff and provide a reasonably safe environment for children, who participated in their programs. Defendants owed Plaintiff a duty to properly supervise Plaintiff to prevent harm from foreseeable dangers.

37. By establishing and operating Boy Scout troops in Rotterdam and Glenville, which offered educational programs to children, and by accepting the enrollment and participation of the minor Plaintiff as a participant in those educational programs, Defendants owed Plaintiff a duty to properly supervise Plaintiff to prevent harm from generally foreseeable dangers.
38. Each Defendant breached its duty to Plaintiff. Defendants' failures include but are not limited to, negligent hiring of Defendant Siecinski, failing to properly supervise Defendant Siecinski, failing to properly supervise Plaintiff, exposing Plaintiff to Defendant Siecinski, an unfit agent with dangerous and exploitive propensities, and failing to protect Plaintiff from a known danger.
39. At all times material, Defendant Siecinski was employed by Defendants and was under each Defendant's direct supervision, employ and control when he committed the wrongful acts alleged herein. Defendant Siecinski engaged in the wrongful conduct while acting in the course and scope of his employment with Defendants and/or accomplished the sexual abuse by virtue of his job-created authority. Defendants failed to exercise ordinary care in supervising Defendant Siecinski in his assignments and failed to prevent the foreseeable misconduct of Defendant Siecinski from causing harm to others, including the Plaintiff herein.
40. Defendants, by and through their agents, servants and/or employees, became aware, or should have become aware, of problems indicating that Defendant Siecinski was an unfit agent with dangerous and exploitive propensities, yet Defendants failed to take any further action to remedy the problem and failed to investigate or remove Defendant Siecinski from working with children.

41. Each Defendant's breach of its duties was the proximate cause of Plaintiff s injuries.
42. As a direct and proximate result of Defendants' negligent conduct, Plaintiff has suffered the injuries and damages described herein.

**AS AND FOR A SECOND CAUSE OF ACTION AGAINST DEFENDANT
SIECINSKI BATTERY**

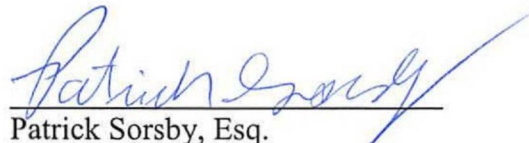
43. Plaintiffs repeat and re-allege each and every allegation contained in Paragraphs "32" through "42" above, as if each were fully set forth herein.
44. That as alleged above and throughout this complaint Defendant Siecinski intentionally made bodily contact with the Plaintiff's person which was offensive in nature and without Plaintiffs consent.

**AS AND FOR A THIRD CAUSE OF ACTION AGAINST DEFENDANT
SIECINSKI BATTERY**

45. Plaintiffs repeat and re-allege each and every allegation contained in Paragraphs "43" through "44" above, as if each were fully set forth herein.
46. That as alleged above and throughout this complaint Defendant Siecinski intentionally placed Plaintiff in fear of imminent harmful or offensive contact.

WHEREFORE, based on the foregoing causes of action, Plaintiff prays for judgment against Defendants in an amount that will fully and fairly compensate him for his injuries and damages, and for punitive damages, in an amount sufficient to deter others and punish Defendants, and for any other relief the Court deems appropriate. The amount of damages sought in this Complaint exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

Dated:
Albany, New York
This 14th day of August, 2019



Patrick Sorsby, Esq.
Law Office of Patrick Sorsby
1568 Central Avenue
Albany, New York 12205
Phone: (518) 456-4529
E-mail: sorsbylaw@gmail.com

STATE OF NEW YORK }

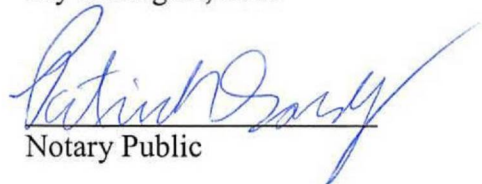
ss:

COUNTY OF ALBANY }

I, Jonathon Blanchard, being duly sworn, deposes and says: I am the Plaintiff in the within action; I have read the foregoing complaint and know the contents thereof; the same is true to my knowledge, except as to the matters stated therein to be alleged on information and belief, and as to those matters I believe them to be true.


Jonathon Blanchard (Plaintiff)

Sworn to before me on this 14th
day of August, 2019


Notary Public

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF SCHENECTADY**

JONATHAN BLANCHARD,

PLAINTIFF,

vs.

**AFFIDAVIT IN
SUPPORT OF
COMPLAINT**

**BOY SCOUTS OF AMERICA (BSA),
BOY SCOUTS OF AMERICA TWIN RIVERS COUNCIL,
VINCENT SIECINSKI**

INDEX No.

DEFENDANTS.

**TO THE SUPREME COURT OF THE STATE OF NEW YORK
STATE OF NEW YORK }**

ss:

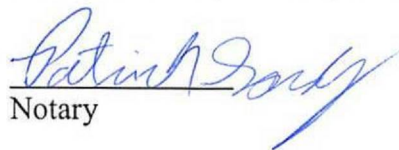
COUNTY OF ALBANY }

CYNTHIA CULLEN being duly sworn, says:

1. That I am the Mother of the Plaintiff, Jonathan Blanchard, and I am over the age of 18.
2. That I am making this affidavit in support of son's complaint in the above captioned matter.
3. That I reside at 21 Gleason Road Glenville, New York 12302.
4. That when my Son Jonathan Blanchard was between 8 and 11 years of age, we lived on West Glenville Road in Glenville New York.
5. That Jonathan joined the Cub Scouts at age 7 or 8 and later entered the Boy Scouts when he was of age acceptable make that transition.
6. That I met Vincent Siecinski in or around 1979 and knew Siecinski was a Scout leader.
7. That Siecinski would ask to take Jonathan to Scout functions and outings.
8. That the time came that Siecinski asked to take Jonathan to a movie and on a later occasion when Siecinski took Jonathan to his house for pizza.

9. That I trusted Siecinski as a Scout leader and because Jonathan did not have an active father figure, I thought the male interaction with Siecinski should have had a positive effect on Jonathan.
10. That Defendant Siecinski took Jonathan on approximately twenty occasions for the period of time of approximately 6-9 months starting in 1979 and ending in the summertime of 1980.
11. That there came a time when Jonathan came to me and said he didn't want to go with Siecinski and I figured there might be a problem.
12. That when a second time occurred where Jonathan did not want to go with Siecinski, it raised a red flag with me. After which, Vincent Siecinski did not call anymore.
13. That when Jonathan told me that he did not want to go with Siecinski, he was evasive and when I asked why, Jonathan did not want to talk about it.
14. That I recall an occasion when Jonathan and I were watching a movie with a pedophile in the cast. Jonathan stayed up with me watching the movie. In the movie, the pedophile threatened the child and would kill his family. At one point, Jonathan asked me, "Mom, do you think Vincent Siecinski could be like that man on TV?" I froze and asked him why. Jonathan said he was a bad boy and "I [Jonathan] did bad things". I said to Jonathan, you are not a bad boy. I told Jonathan, Vincent Siecinski is sick. Jonathan cried and spent the night with me with his arms around my neck. This is how I discovered that Jonathan had been molested by Vincent Siecinski.
15. That Jonathan begged me not to tell anyone.
16. That the experience left me in a fog for three days.
17. That subsequent to discovering that Jonathan had been molested, and when I was getting a pizza on Mohawk Avenue, I returned to the car and found Jonathan on the floor crouched under the dash. He told me that he had seen Vincent Siecinski.
18. That I talked to our pastor and then I contacted attorney Arthur A. Pasquariello, who is an attorney for children and was the attorney for my children during my divorce.
19. That I told Attorney Pasquariello that Jonathan told me that he was afraid of Vincent Siecinski, that he would kill him and me. I also told him that Jonathan would try to sleep under my bed which went on for several months.
20. That Jonathan would lock his window in his room despite that it was hot outside.
21. That Arthur Pasquariello called a meeting with two gentlemen who worked at GE. These two were upper level council members of the Boy Scouts.

on this 14th day of August 2019


Notary